



LOUISVILLE & NASHVILLE RAILROAD COMPANY

908 W. BROADWAY • LOUISVILLE, KENTUCKY 40203 TELEPHONE (502) 587-5235

LAW DEPARTMENT

June 29, 1979

DAVID M. YEARWOOD
GENERAL ATTORNEY

Mr. H. G. Homme, Jr.
Secretary
Interstate Commerce Commission
Washington, D. C. 20423

9-205A010
JUL 24 1979

Date
Fee \$ 10.00

RECORDATION NO. 8087-A Filed 1425

CC Washington JUL 24 1979 - 9 13 AM

INTERSTATE COMMERCE COMMISSION

Dear Mr. Secretary:

8087-A
There are transmitted to you herewith for filing and recordation pursuant to 49 U.S.C. Section 11303 duly executed counterparts of an Agreement of Release dated as of June 15, 1979 between ACF Industries Incorporated, whose address is 750 Third Avenue, New York, New York 10017, and Louisville and Nashville Railroad Company, whose address is 908 West Broadway, Louisville, Kentucky 40203.

By this Agreement of Release, the parties acknowledged the complete satisfaction and full release of that Agreement dated as of October 15, 1975 between said parties which was filed and recorded with the Interstate Commerce Commission on October 22, 1975 and assigned Recordation No. 8087.

The equipment covered by said Agreement was 200 100-ton covered hopper cars bearing L&N Railroad Road Numbers 241450 through 241649.

Attached hereto is a draft in the amount of \$10 payable to the Treasurer of the United States to cover the recordation fee for said Agreement of Release.

This letter of transmittal is signed by an officer of Louisville and Nashville Railroad Company designated for the purpose hereof who has knowledge of the matters set forth herein.

After recordation, please return the recorded counterparts of said Agreement of Release to:

JUL 24 1979

RECEIVED

Mr. David M. Yearwood
General Attorney
Louisville and Nashville Railroad Company
908 West Broadway
Louisville, Kentucky 40203

Respectfully yours,

LOUISVILLE AND NASHVILLE RAILROAD COMPANY

By

David M. Yearwood
David M. Yearwood
General Attorney

Attachments

Agreement of Release dated as of June 15, 1979
between ACF Industries Incorporated ("ACF") and Louisville 8087 A
and Nashville Railroad Company ("L&N").
RECORDATION NO. 8087 A Filed 1425

JUL 24 1979 - 9 13 AM

WITNESSETH:

INTERSTATE COMMERCE COMMISSION

WHEREAS, ACF and L&N entered into an Agreement dated as of October 15, 1975 ("Agreement") covering 200 100-ton covered hopper cars bearing L&N road numbers 241450 through 241649;

WHEREAS, the Agreement was filed and recorded with the Interstate Commerce Commission on October 22, 1975 and assigned Recordation No. 8087; and

WHEREAS, the parties hereto desire to execute and deliver this instrument, in recordable form, to acknowledge for public record, the release, discharge and satisfaction of their respective rights and obligations under the Agreement.

NOW, THEREFORE, in consideration of the premises and of the promises of the parties herein contained, ACF and L&N hereby acknowledge the release, discharge and satisfaction of their respective rights and obligations under the Agreement.

L&N will cause this Agreement to be filed and recorded with the Interstate Commerce Commission.

This Agreement may be simultaneously executed in two or more counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute but one and the same instrument, which shall be sufficiently evidenced by any such counterpart.

IN WITNESS WHEREOF, ACF and L&N have caused these presents to be signed in their respective corporate names by their respective officers and their respective corporate seals to be hereunto affixed, duly attested, as of the day and year first above written.

ACF INDUSTRIES INCORPORATED

By

SENIOR VICE PRESIDENT

(Corporate Seal)

ATTEST:

SECRETARY

LOUISVILLE AND NASHVILLE RAILROAD COMPANY

By

Assistant Vice President

(Corporate Seal)

ATTEST:

Attesting Officer

STATE OF NEW YORK)
) SS:
COUNTY OF NEW YORK)

On this 19th day of July, 1979, before me personally appeared J. D. BRINKERHOFF, to me personally known, who, being by me duly sworn, says that he is SENIOR VICE PRESIDENT of ACF Industries Incorporated, that one of the seals affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

Edwin F. Meyer

Notary Public

EDWIN F. MEYER
NOTARY PUBLIC, State of New York
No. 30-7917803

Qualified in Nassau County
Certificate filed in New York County
Commission Expires March 30, 1980

My Commission expires

(Notarial Seal)

COMMONWEALTH OF KENTUCKY)
) SS:
COUNTY OF JEFFERSON)

On this 10th day of July, 1979, before me personally appeared W. E. Gilstrap, to me personally known, who, being by me duly sworn, says that he is an Assistant Vice President of Louisville and Nashville Railroad Company, that one of the seals affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

Sharon W. Bowles
Notary Public

My Commission expires

July 26, 1982

(Notarial Seal)